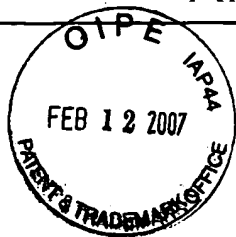


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555 Twelfth Street, NW
Washington, DC 20004-1206



February 12, 2007

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Application No. 09/692,257
Filed: October 19, 2000
Title: Nucleic Acid Molecules and Other Molecules
Associated with Plants
Applicants: Philip W. MILLER *et al.*
Attorney Docket No.: 16517.297

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (in duplicate); and
2. a return postcard.

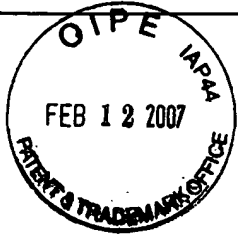
Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Applicants request that the following fee be charged to Deposit Account No. 50-2387 referencing docket number 16517.297:

\$ 500.00 notice of appeal fee

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees, other than the above (\$500), are due in conjunction with this filing. However, if any additional fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby

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Commissioner for Patents
U.S. Application No. 09/692,257
February 12, 2007
Page 2

authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387
referencing matter number 16517.297. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gantam Prakash".

Gantam Prakash, Ph.D. (Reg. Agent No. 53,481)
Holly Logue Prutz (Reg. Atty. No. 47,755)
David R. Marsh (Reg. Atty. No. 41,408)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Philip W. MILLER *et al.*

Application Serial No.: 09/692,257

Filed: October 19, 2000

Title: Nucleic Acid Molecules and Other Molecules Associated with Plants

Confirmation No.: 7102

Art Unit: 1637

Examiner: Joyce Tung

Attorney Docket No.: 16517.297

**Notice of Appeal from the Examiner to
the Board of Patent Appeals and Interferences**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner dated November 13, 2006.

Authorization to charge the official fees for this filing is given in the accompanying transmittal letter. A duplicate copy of this Notice is attached.

Respectfully submitted,

Date: February 12, 2007

Gautam Prakash, Ph.D. (Reg. Agent No. 53,481)
Holly L. Prutz (Reg. Attorney No. 47,755)
David R. Marsh (Reg. Attorney No. 41,408)

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